



# STATE OF IOWA

CHESTER J. CULVER, GOVERNOR  
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DEPARTMENT OF HUMAN SERVICES  
KEVIN W. CONCANNON, DIRECTOR

October 12, 2007

## GENERAL LETTER NO. 11-G-4

ISSUED BY: Bureau of Collections, Division of Child Support, Case Management and Refugee Services

SUBJECT: Employees' Manual, Title 11, Chapter G, *LICENSE SANCTION*, pages 5, 12, 44, 45, and 47, revised.

### Summary

This chapter is revised to incorporate two changes regarding forms:

- ◆ The form titles were changed to incorporate the terms "payee/payor" instead of "obligee/obligor." The following forms are revised to update the form titles:
  - 470-3277, *License Sanction Request for Financial Statement – Payor*
  - 470-3343, *License Sanction Request for Financial Statement – Payee*
- ◆ A change to correct a form number used on page 45.

### Effective Date

Upon receipt.

### Material Superseded

Remove the following pages from Employees' Manual, Title 11, Chapter G, and destroy them:

<u>Page</u>	<u>Date</u>
5, 12, 44, 45, 47	July 27, 2007

### Additional Information

Refer questions about this general letter to your regional collections administrator.

- ◆ If you determine at any time that the Unit made a mistake of fact regarding the identity of the payor or the amount of delinquent support owed (resulting in the delinquency being less than three months worth of support), end the license sanction process.
- ◆ When the payor wishes to challenge your actions after a conference or the actions of a licensing agency, the payor may request a district court hearing.
- ◆ When the payor becomes employed and you send an income withholding order to the income provider, you may end the license sanction process. If you previously issued a *Certificate of Noncompliance*, generate and send form 470-3275, *Notice of Withdrawal of Certificate of Noncompliance*, to the licensing agencies before entering a date in the PROCESS ENDED field on the LISAN screen.
- ◆ When you initiate a contempt action against the payor, or the payor is involved in a private contempt action, end the license sanction process. Do **not** pursue both processes at the same time **on the same case or court order**.

### **License Sanction Process Steps and Forms**

The following table outlines the steps within the license sanction process and the form applicable to each step. See [11-G-Appendix](#) for more information.

<b><u>Action</u></b>	<b><u>Form No.</u></b>	<b><u>Form Name</u></b>
Provide payor notice of possible sanctions against licenses	470-3278	<i>Official Notice of Potential License Sanction</i>
Provide payor with information about a scheduled conference	470-3276	<i>Acknowledgement of Request for Conference</i>
Request the payor's financial information for a conference	470-3277	<i>License Sanction Request for Financial Statement - Payor</i>
Request the payee's financial information for a conference	470-3343	<i>License Sanction Request for Financial Information - Payee</i>
Provide information to the Unit on the payor's and payee's incomes	470-0204	<i>Financial Statement</i> See Chapter 10-H, <a href="#">DETERMINING CHILD SUPPORT OBLIGATIONS</a> .

ICAR moves the information from the NOTICE RET1 and RSN fields to the NOTICE RET2 and RSN fields and displays the current return information in the NOTICE RET1 and RSN fields.

- ◆ **DLIC #:** ICAR displays the payor's driver's license number. This number may be the same as the payor's SSN or may be a unique nine-digit alphanumeric number different from the payor's SSN.
- ◆ **CONF REQUESTED:** Enter the date you received the payor's written request for a conference. The date must be the same as, or later than, the date in the SRV field and cannot be a future date. ICAR also requires an entry in the CONF SCHEDULED field.
- ◆ **VEHICLE REG:** ICAR displays a "Y" when a motor vehicle registered in the payor's name is identified through a match with DOT.
- ◆ **CONF SCHEDULED:** Enter the date and time of the conference. The date must be no earlier than ten days and no later than 30 days after the date in the CONF REQUESTED field. ICAR displays the following forms for you to complete and generate:
  - Form 470-3276, *Acknowledgement of Request for Conference*.
  - Form 470-3277, *License Sanction Request for Financial Statement - Payor*.
  - Form 470-3343, *License Sanction Request for Financial Statement - Payee*.
  - Form 470-0204, *Financial Statement* (two copies).
- ◆ **VEHICLE PLATE #:** ICAR displays up to six license plate numbers for the payor's vehicles. Each license plate number may contain up to seven alphanumeric characters. Based on the codes received from DOT, ICAR displays valid license plate numbers first and then displays all other license plate numbers.
- ◆ **CONF HELD (Y/N/R):** Enter one of the following codes and the date to indicate a conference is held, not held, or rescheduled. Valid entries are:
  - Y    The conference was held.
  - N    The conference was not held.
  - R    The conference was rescheduled.

When you update the CONF HELD (Y/N/R) field, ICAR displays form 470-3344, *Results of License Sanction Conference*, for you to complete and generate.

- ◆ **GEN PAY AGREEMNT:** Enter a code to indicate whether you generated form 470-3273, *License Sanction Payment Agreement*. Valid entries are:

When you receive the payor's written request for a conference, enter the date you receive the request in the CONF REQUESTED field on the LISAN screen. ICAR issues a narrative (LISAN42) documenting the date you received the payor's request for a conference. ICAR also requires you to complete the CONF SCHEDULED field.

### **Scheduling the Conference**

**Legal reference:** Iowa Code section 252J.4(3); 441 IAC 98.104(1)

Schedule the conference no **earlier** than ten days and no **later** than 30 days following the date in the CONF REQUESTED field. This allows both the payor and you time to gather information for the conference. The payor may request the conference be held by telephone or in person.

Enter the date and time of the conference in the CONF SCHEDULED field. ICAR issues a narrative (LISAN29) documenting the date and time of the conference and displays the following forms for you to complete and generate:

- ◆ Form 470-3276, *Acknowledgment of Request for Conference*.
- ◆ Form 470-3277, *License Sanction Request for Financial Statement - Payor*.
- ◆ Form 470-3343, *License Sanction Request for Financial Statement - Payee*.
- ◆ Form 470-0204, *Financial Statement* (two copies).

*The Acknowledgment of Request for Conference*

- ◆ Documents the receipt of the payor's request for a conference,
- ◆ Tells the payor the time, date, and place of the conference,
- ◆ Lists the issues the payor may discuss at the conference,
- ◆ Informs the payor of the valid exemptions from license sanction, and
- ◆ Instructs the payor to complete the enclosed *Financial Statement*.

Send the *Acknowledgment of Request for Conference*, *License Sanction Request for Financial Statement - Payor*, and one copy of the *Financial Statement* by first-class mail to the payor's last known address.

At the request of either the payor or the Unit, you may reschedule the conference **one** time. See [RESULTS OF LICENSE SANCTION CONFERENCE](#) for more information.

**Note:** The payor must provide a telephone number where the payor may be reached when requesting a telephone conference. The *Acknowledgment of Request for Conference* notifies the payor that you will contact the payor at that number. When the payor does not provide the telephone number, schedule an in-person conference.

### **Requesting Financial Statements From the Payor and Payee**

**Legal reference:** 441 IAC 98.104(1) and (2)

When you send form 470-3276, *Acknowledgment of Request for Conference*, to the **payor**, also send form 470-3277, *License Sanction Request for Financial Statement – Payor*, and one copy of form 470-0204, *Financial Statement*.

The *License Sanction Request for Financial Statement - Payor* instructs the payor to complete and return the enclosed *Financial Statement* and provide proof of income, such as pay stubs and Internal Revenue Service W2 statements, within ten days:

At the same time you send the request for financial information to the payor, send the **payee** form 470-3433, *License Sanction Request for Financial Statement – Payee*, and one copy of the *Financial Statement*.

The *License Sanction Request for Financial Statement - Payee* explains that the payor requested a conference to discuss the license sanction action. The form asks the payee to complete and return the enclosed *Financial Statement* and provide proof of income, such as pay stubs, within ten days.

**Note:** Do **not** send the *License Sanction Request for Financial Statement - Payee* and *Financial Statement* to the payee under the following conditions:

- ◆ Current support cases with an 11 case account type. Instead, use online sources to determine income. See [Preparing for the Conference](#) for more information.
- ◆ Delinquency-only cases with only an 11 account type balance. Instead, use online sources or median income. See [Preparing for the Conference](#) for more information.
- ◆ Caretaker cases. Instead, send the *License Sanction Request for Financial Statement - Payor* and *Financial Statement* to the payor and the *License Sanction Request for Financial Statement - Payee* and *Financial Statement* to the other parent, when the address of the other parent is known.

ICAR displays the following forms for you to complete and generate:

- Form 470-3276, *Acknowledgement of Request for Conference*. When you generate the *Acknowledgement of Request for Conference*, make the following entries on the FORMVIEW screen:
  - ◆ When the payor comes into the office, enter an “X” in the OBLIGOR REQUESTED AN IN-PERSON CONFERENCE (X) field.
  - ◆ When the payor calls in for a conference, enter an “X” in the OBLIGOR REQUESTED A CONFERENCE BY PHONE (X) field. Also enter the payor’s telephone number in the NUMBER NCP GAVE FOR PHONE CONF (515) 555-5555 field.
  - ◆ Change the entry in the DATE OF CONFERENCE (MM/DD/CCYY) field to the actual date you are holding the conference.
  - ◆ Change the entry in the TIME OF CONFERENCE (10:00 AM) field to the actual time you are holding the conference.
  - ◆ Narrate on ICAR that you made these changes in the form.
- Form 470-3277, *License Sanction Request for Financial Statement - Payor*.
- Form 470-3343, *License Sanction Request for Financial Statement - Payee*.
- Form 470-0204, *Financial Statement* (two copies).

Give the payor the *Acknowledgement of Request for Conference*, *License Sanction Request for Financial Statement - Payor* and one copy of the *Financial Statement*.

When you hold the conference, enter a “Y” and the **date you held the conference** in the CONF HELD (Y/N/R) field. ICAR displays form 470-3344, *Results of License Sanction Conference*, for you to complete and generate. Give this form to the payor.

## **Preparing for the Conference**

**Legal reference:** 441 IAC 98.104(2) and (3) and Chapter 99, Division I

To prepare for the conference with the payor, review the financial information from the payor and payee, as applicable. When the **payee** does not complete and return form 470-0204, *Financial Statement*, gather information about the payee’s financial status from on line or other sources.